

**MEMORANDUM
TO THE HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE**

**RE: UPTON, Julie Carden
DOCKET NO.: 01-CR-1374
REQUEST FOR EARLY
TERMINATION**

Reference is made to the above-named individual who was sentenced by Your Honor on May 23, 2002 to five (5) years Probation, following her conviction on the charges of Importation of Cocaine and Possession with Intent to Distribute Cocaine. A \$200.00 special assessment fee was imposed. At the time of sentencing, Your Honor imposed the following special conditions:

- (1) The offender shall serve six (6) months home detention.
- (2) The offender shall maintain employment and participate in any emotional or vocational counseling.

Based on her residence in Troy, New York, case supervision was transferred to the Northern District of New York, effective June 24, 2002. The offender's term of probation is scheduled to terminate on May 22, 2007. The purpose of this Memorandum is to advise Your Honor that a request has been received from the Northern District of New York, seeking an early discharge from the remaining period of supervision for this offender.

According to U.S. Probation Officer Jeannine Kiebart, while on supervision in the Northern District of New York, the offender has been compliant with her conditions of probation with the exception of periodic late submissions of written monthly reports. The offender has always followed the Probation Department's directives and has not sustained any new arrests. In February 2004, the offender satisfied her special assessment obligation. In November 2002, the offender completed the six (6) month home confinement portion of her sentence. The offender is currently employed as a Resident Instructor at Living Resources located in Albany, New York where she cares for the developmentally disabled, earning \$8.50 per hour. The offender has completed some clerical classes at the Mildred Elley School and intends to enroll in a community college in the Fall. Regarding emotional counseling, the Northern District of New York noted that the offender has remained emotionally stable and received no formal counseling. However, the Probation Department has provided counseling as needed. U.S. Probation Officer Kiebart has concluded that the offender "has met the desired goals and outcomes of federal supervision, and is no longer in need of our oversight."

Pursuant to 18 USC 3564(c), the Court may terminate a term of probation previously ordered and discharge the offender at any time after the expiration of one year of probation, pursuant to provisions of the Federal Rules of Criminal Procedure relating to modification of probation, if it is satisfied that such action is warranted by the conduct of the offender and in the interest of justice.

The Northern District of New York respectfully recommends that Your Honor consider the request for early termination, and the Eastern District of New York concurs with the recommendation. To further determine a recommendation in this matter, the undersigned officer

- 2 - RE: **UPTON, Julie Carden**
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contacted Assistant U.S. Attorney Steven Weiser who expressed no objection with the request for early termination.

We await the Court's directive and will inform all parties of the Court's decision.

Respectfully Submitted:

Tony Garoppolo
Chief U.S. Probation Officer

Prepared by: Gregory Carter
Gregory Carter
Senior U.S. Probation Officer

Approved by: Nella Yelenovic
Nella Yelenovic
Supervising U.S. Probation Officer

June 7, 2006

The Court Orders:

- ☒ Request for Early Termination Granted
- ☐ Request for Early Termination Denied
- ☐ Other Court Directive: [Signature]

Allyne R. Ross
U.S. District Court Judge

7/17/06
Date